

**Amendments to the claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of claims:**

Claim 1 (previously presented): A communications device transmitting/receiving data over a network and making a request for a response to a data transmission from a receiving-end machine, said device comprising:

data identifying means for determining whether data to be received over the network is response data to the response request by comparing a size of the data to be received to a predetermined data size; and

receipt control means for controlling receipt so as to preferentially receive data identified as the response data by the data identifying means over other data.

Claim 2 (canceled)

Claim 3 (original): The communications device as set forth in claim 1, further comprising:

storage means for storing received data; and

storage control means for controlling storing to the storage means so that after storing the received data, the storage means is left with empty space needed to store the response data.

Claims 4-5 (canceled)

Claim 6 (previously presented): A tangible computer-readable recording medium on which is recorded a program for causing a computer to operate, when a request for a response to a data transmission from a receiving-end machine is embedded in transmitted data, as:

data identifying means for determining whether data to be received over a network is response data to a response request by comparing a size of the data to be received to a predetermined data size; and

receipt control means for controlling receipt so as to preferentially receive data identified as the response data by the data identifying means over other data.

Claim 7 (previously presented): A communications device, comprising:

- transmission/receipt means for transmitting/receiving data over a network;
- response request embedding means for embedding a response request for a response to a data transmission from a receiving-end machine in transmitted data;
- data identifying means for determining whether data to be received over the network is response data to the response request by comparing a size of the data to be received to a predetermined data size; and
- receipt control means for controlling the transmission/receipt means so as to preferentially receive data identified as the response data by the data identifying means over other data.

Claim 8 (canceled)

Claim 9 (original): The communications device as set forth in claim 7, further comprising:

- storage means for storing received data; and
- storage control means for controlling storing to the storage means so that after storing the received data, the storage means is left with empty space needed to store the response data.

Claims 10-11 (canceled)

Claim 12 (previously presented): A tangible computer-readable recording medium on which is recorded a program for causing a computer to operate as:

- transmission/receipt means for transmitting/receiving data over a network;
- response request embedding means for embedding a response request for a response to a data transmission from a receiving-end machine in transmitted data;

data identifying means for determining whether data to be received over the network is response data to the response request by comparing a size of the data to be received to a predetermined data size; and

receipt control means for controlling the transmission/receipt means so as to preferentially receive data identified as the response data by the data identifying means over other data.

Claim 13 (original): A communications device transmitting/receiving data over a network and making a request for a response to a data transmission from a receiving-end machine, said device comprising:

data identifying means for determining whether data to be received over the network is response data to the response request; and

receipt control means for ranking, concerning receiving of data, data identified as the response data by the data identifying means higher than other data.

Claim 14 (previously presented): The communications device as set forth in claim 13, wherein:

the communications device transmits/receives data through the network and a relay device, the relay device receiving and storing data addressed to the communications device over the network and for assigning identity information and a serial number to each of stored data sets, the stored data sets being renumbered where necessary so that they are serially numbered; and

when data is to be received from the relay device, the receipt control means changes a data receiving ranking by way of a request to the relay device from a ranking indicated by the serial numbers.

Claim 15 (original): The communications device as set forth in claim 13, wherein the data identifying means determines whether data to be received is the response data by comparing a size of the data to be received to a predetermined data size.

Claim 16 (original): The communications device as set forth in claim 13, further comprising:

storage means for storing received data; and

storage control means for controlling storing to the storage means so that after storing the received data, the storage means is left with empty space needed to store the response data.

Claims 17-18 (canceled)

Claim 19 (previously presented): A tangible computer-readable recording medium on which is recorded a program for causing a computer to operate, when a request for a response to a data transmission from a receiving-end machine is embedded in transmitted data, as:

data identifying means for determining whether data to be received over the network is response data to the response request by comparing a size of the data to be received to a predetermined data size; and

receipt control means for ranking, concerning receiving of data, data identified as the response data by the data identifying means higher than other data.

Claim 20 (previously presented): A communications method of transmitting/receiving data over a network and making a request for a response to a data transmission from a receiving-end machine, said method comprising the steps of:

determining whether data to be received over the network is response data to the response request by comparing a size of the data to be received to a predetermined data size; and

preferentially receiving data identified as the response data over other data.

Claim 21 (new): A communications device transmitting/receiving data over a network and making a request for a response to a data transmission from a receiving-end machine, said device comprising:

data identifying means for determining whether data to be received over the network is response data to the response request; and

receipt control means for ranking, concerning receiving of data, data identified as the response data by the data identifying means higher than other data, wherein:

the data is transmitted/received through a relay device receiving and storing the data addressed to the communications device over the network;

the relay device assigns identity information and a serial number to each of stored data sets, the serial numbers being assigned in an order that the data sets are stored, the stored data sets being renumbered where necessary so that they are serially numbered; and

the receipt control means receives the data from the relay device in accordance with a ranking indicated by the serial numbers and, when the response data is to be received from the relay device, changes the ranking by way of a request to the relay device from the ranking indicated by the serial numbers,

the communications device further comprising:

storage means for storing received data; and

storage control means for controlling storing to the storage means so that after storing the received data, the storage means is left with empty space needed to store the response data, wherein:

the data identifying means determines whether the data to be received from the relay device over the network is the response data by comparing a size of the data to be received to a predetermined data size;

when the data identifying means has determined that the data to be received from the relay device is not the response data, the storage control means determines whether the size of the data to be received is smaller than the empty space in the storage means less a predetermined value  $\alpha \times A$ , where  $A$  is a number of the response requested; and

when the storage control means has determined that the size of the data to be received from the relay device is greater than or equal to the empty space in the storage means less the predetermined value  $\alpha \times A$ , the receipt control means does not receive the data from the relay device.